

EXHIBIT 19

Deposition of Amanda DeVecchia

AMANDA GAY DELVECCHIA

November 18, 2019

Page 1

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 CASE NO. 2:19-CV-01322-KJD-NJK

4 PETER DELVECCHIA, individually and
5 as next friend of A.D., a minor,

6 Plaintiffs,

7 vs.

8 FRONTIER AIRLINES, INC. and JOHN DOES
1 through 5, inclusive,

9 Defendants.

10 _____/

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12
13 Videotaped Deposition of

14 AMANDA GAY DELVECCHIA

15
16 (Taken by Plaintiffs)

17 Raleigh, North Carolina

18 Monday, November 18, 2019

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23 Reported in Stenotype By:

Denise Y. Meek

24 Court Reporter and Notary Public

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<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES</p> <p>2</p> <p>3 FOR THE PLAINTIFFS:</p> <p>4 JOHN D. McKAY, ESQ.</p> <p>5 Park Avenue Law</p> <p>6 127 West Fairbanks Avenue, Suite 519</p> <p>7 Winter Park, FL 32789</p> <p>8 800-391-3654</p> <p>9 parkavelaw@gmail.com</p> <p>10</p> <p>11 FOR THE DEFENDANTS:</p> <p>12 TARA SHELKE, ESQ.</p> <p>13 Adler Murphy & McQuillen, LLP</p> <p>14 20 South Clark Street, Suite 2500</p> <p>15 Chicago, IL 60603</p> <p>16 312-345-0700</p> <p>17 tshelke@amm-law.com</p> <p>18</p> <p>19 ALSO PRESENT:</p> <p>20 DILLON TYNDALL, Videographer</p> <p>21</p> <p>22 Videotaped Deposition of AMANDA GAY</p> <p>23 DELVECCHIA, a witness called on behalf of the</p> <p>24 Defendants, before Denise Y. Meek, Court Reporter</p> <p>and Notary Public, in and for the State of</p> <p>North Carolina, at Smith Anderson Blount Dorsett</p> <p>Mitchell & Jernigan, LLP, 150 Fayetteville Street,</p> <p>Suite 2300, Raleigh, North Carolina, on Monday,</p> <p>November 18, 2019, commencing at 11:13 a.m.</p>	<p style="text-align: right;">Page 4</p> <p>1 - - -</p> <p>2 THE VIDEOGRAPHER: We are now on the</p> <p>3 record.</p> <p>4 This is the beginning of media unit</p> <p>5 number one, in the deposition of</p> <p>6 Amanda DelVecchia, in the matter of</p> <p>7 Peter DelVecchia v. Frontier Airlines,</p> <p>8 Inc., et al., case number</p> <p>9 2:19-CV-01322-KJD-NJK.</p> <p>10 Today's date is November 18, 2019. The</p> <p>11 time is 11:14 a.m.</p> <p>12 My name is Dillon Tyndall, the</p> <p>13 videographer. The court reporter is</p> <p>14 Denise Meek. We are here with U.S. Legal</p> <p>15 Support.</p> <p>16 Will all counsel please identify</p> <p>17 themselves for the record. Afterwards, the</p> <p>18 court reporter may swear in the witness.</p> <p>19 MR. McKAY: I'm John McKay, and I</p> <p>20 represent the plaintiffs.</p> <p>21 MS. SHELKE: My name is Tara Shelke,</p> <p>22 and I represent defendant</p> <p>23 Frontier Airlines.</p> <p>24 THE REPORTER: Please raise your right</p>
<p style="text-align: right;">Page 3</p> <p>1 INDEX OF EXAMINATIONS</p> <p>2</p> <p>3 AMANDA GAY DELVECCHIA</p> <p>4 By Ms. Shelke</p> <p>5</p> <p>6</p> <p>7 INDEX OF EXHIBITS</p> <p>8 (NONE)</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: right;">Page 5</p> <p>1 hand.</p> <p>2 Do you solemnly swear the testimony you</p> <p>3 will give in this matter will be the truth,</p> <p>4 the whole truth, and nothing but the truth,</p> <p>5 so help you God?</p> <p>6 THE WITNESS: I do.</p> <p>7 THE REPORTER: Thank you.</p> <p>8 - - -</p> <p>9 AMANDA GAY DELVECCHIA,</p> <p>10 having been first duly sworn,</p> <p>11 was examined and testified as follows:</p> <p>12 EXAMINATION</p> <p>13 BY MS. SHELKE</p> <p>14 Q. Would you state your full name, please.</p> <p>15 A. Amanda Gay DelVecchia.</p> <p>16 MS. SHELKE: Let the record reflect</p> <p>17 that this is the deposition of Amanda Gay</p> <p>18 DelVecchia, taken pursuant to subpoena and</p> <p>19 set for today's date by agreement of the</p> <p>20 parties.</p> <p>21 This deposition shall be conducted in</p> <p>22 accordance with the Federal Rules of Civil</p> <p>23 Procedure and all applicable local rules of</p> <p>24 the United States District Court for the</p>

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<p style="text-align: right;">Page 6</p> <p>1 District of Nevada.</p> <p>2 BY MS. SHELKE:</p> <p>3 Q. Amanda, my name is Tara Shelke. I</p> <p>4 represent defendant Frontier Airlines in a</p> <p>5 lawsuit filed by Peter DelVecchia, and his son,</p> <p>6 A.D.</p> <p>7 Do you know Peter DelVecchia?</p> <p>8 A. Yes.</p> <p>9 Q. How do you know him?</p> <p>10 A. He is my father.</p> <p>11 Q. Peter also has a son; is that correct?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. We're going to go off the record</p> <p>14 in just a moment, and if you will tell me</p> <p>15 Peter's son's full name, off the record,</p> <p>16 please.</p> <p>17 MS. SHELKE: Going off the record.</p> <p>18 THE VIDEOGRAPHER: We are now off the</p> <p>19 record. The time is 11:15 a.m.</p> <p>20 (Off the record.)</p> <p>21 THE VIDEOGRAPHER: We are back on the</p> <p>22 record. The time is 11:15 a.m.</p> <p>23 BY MS. SHELKE:</p> <p>24 Q. Amanda, while we were off the record,</p>	<p style="text-align: right;">Page 8</p> <p>1 Q. The second is that your answers need to</p> <p>2 be verbal, "yes" or "no," "I don't know" is</p> <p>3 fair as well, but when you say "uh-huh" or</p> <p>4 "uh-uh" or just shrug your head or nod your --</p> <p>5 nod your head or shrug your shoulders, the</p> <p>6 court reporter cannot record it down. So your</p> <p>7 answers need to be out loud. Okay?</p> <p>8 A. Okay.</p> <p>9 Q. Third, if I ask you a question, and you</p> <p>10 don't understand it, let me know, and I can ask</p> <p>11 it again differently. But if I ask you a</p> <p>12 question, and you answer, I'll assume you</p> <p>13 understood the question. Is that fair?</p> <p>14 A. Okay.</p> <p>15 Q. And, finally, if you need to take a</p> <p>16 break at any time, or if you need more water,</p> <p>17 just let us know. But if there is a question</p> <p>18 pending, I will ask you to answer the question</p> <p>19 before we take a break. Okay?</p> <p>20 A. Okay.</p> <p>21 Q. Mr. McKay, here, represents Peter and</p> <p>22 A.D. Do you know Mr. McKay?</p> <p>23 A. Yes.</p> <p>24 Q. When did you meet Mr. McKay?</p>
<p style="text-align: right;">Page 7</p> <p>1 you told me the full name of Peter's son.</p> <p>2 During the course of this deposition, we'll</p> <p>3 refer to him as A.D., for his own privacy.</p> <p>4 If I refer to A.D. during this</p> <p>5 deposition, will you understand that person to</p> <p>6 be Peter's son?</p> <p>7 A. Yes.</p> <p>8 Q. And Peter only has one son, correct?</p> <p>9 A. Yes.</p> <p>10 Q. Have you ever given a deposition</p> <p>11 before?</p> <p>12 A. No.</p> <p>13 Q. All right. Just a few preliminary</p> <p>14 matters to keep in mind through this</p> <p>15 deposition.</p> <p>16 The first is that we have a court</p> <p>17 reporter taking down everything that we say</p> <p>18 today. She can only record one of us speaking</p> <p>19 at a time. So if you'll wait for me to finish</p> <p>20 my question before you answer, I'll be sure to</p> <p>21 wait for you to finish your answer before I ask</p> <p>22 another question, and that way we'll get a</p> <p>23 clean transcript. Okay?</p> <p>24 A. Uh-huh.</p>	<p style="text-align: right;">Page 9</p> <p>1 A. This morning.</p> <p>2 Q. Have you spoken with Mr. McKay before</p> <p>3 today?</p> <p>4 A. Yes.</p> <p>5 Q. When did you speak with him?</p> <p>6 A. By email, to schedule the deposition,</p> <p>7 and yesterday, briefly.</p> <p>8 Q. Yesterday, was that via email or</p> <p>9 telephone?</p> <p>10 A. By phone.</p> <p>11 Q. Roughly how long did your conversation</p> <p>12 last?</p> <p>13 A. About an hour.</p> <p>14 Q. Who all were present for that telephone</p> <p>15 call?</p> <p>16 A. My father, my sister, and A.D.</p> <p>17 Q. Did Mr. McKay ask you to review any</p> <p>18 documents in preparation for your deposition?</p> <p>19 A. No.</p> <p>20 Q. Was that the only time you've spoken</p> <p>21 with Mr. McKay?</p> <p>22 A. As stated, by email, to schedule, is</p> <p>23 the only other time.</p> <p>24 Q. Did you speak with Peter about your</p>

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<p style="text-align: right;">Page 10</p> <p>1 deposition?</p> <p>2 A. To schedule, yes.</p> <p>3 Q. Only with respect to scheduling, not</p> <p>4 with respect to your testimony?</p> <p>5 A. Yes.</p> <p>6 Q. Have you spoken with A.D. about your</p> <p>7 deposition?</p> <p>8 A. No.</p> <p>9 Q. Are you familiar with the claims that</p> <p>10 Peter and A.D. are making in this lawsuit?</p> <p>11 A. Yes.</p> <p>12 Q. What do you understand their claims to</p> <p>13 be?</p> <p>14 A. That my brother was taken against his</p> <p>15 will.</p> <p>16 Q. What else?</p> <p>17 A. I have an understanding that my father</p> <p>18 was physically hurt.</p> <p>19 Q. Uh-huh. Yeah.</p> <p>20 A. And I guess I would like clarification</p> <p>21 from you on how in depth you'd like me to go</p> <p>22 here, or if you're asking me to repeat what I</p> <p>23 understand the claims to be.</p> <p>24 Q. Just, generally, if you have knowledge</p>	<p style="text-align: right;">Page 12</p> <p>1 was adopted?</p> <p>2 A. Three and a half.</p> <p>3 Q. Do you know where A.D. was adopted</p> <p>4 from?</p> <p>5 A. Ethiopia.</p> <p>6 Q. Do you know the circumstances that</p> <p>7 surround A.D.'s adoption? How he came to be</p> <p>8 adopted?</p> <p>9 A. Could you clarify?</p> <p>10 Q. How did your parents come to adopt</p> <p>11 A.D.? How did he become part of your family?</p> <p>12 How did they find him?</p> <p>13 A. Standard adoption application process.</p> <p>14 It takes quite a while.</p> <p>15 Q. So this would be through an agency?</p> <p>16 A. As I understand, yes.</p> <p>17 Q. How old were you when A.D. was adopted?</p> <p>18 A. Twenty. Nineteen or twenty.</p> <p>19 Q. Were you in college at the time?</p> <p>20 A. Yes.</p> <p>21 Q. Where were you in college?</p> <p>22 A. UNC Chapel Hill.</p> <p>23 Q. Were your parents living in New York,</p> <p>24 or in North Carolina, when A.D. was adopted?</p>
<p style="text-align: right;">Page 11</p> <p>1 of what the lawsuit is about?</p> <p>2 A. I understand that my father is pursuing</p> <p>3 claims related to A.D. being taken against his</p> <p>4 will and my father being assaulted for no</p> <p>5 reason.</p> <p>6 Q. This incident arises from a flight that</p> <p>7 took place on March 28th of 2019. It was</p> <p>8 flight number 2067, from Raleigh to Las Vegas.</p> <p>9 Were you a passenger on that flight?</p> <p>10 A. No.</p> <p>11 Q. Did you go on the trip to Death Valley</p> <p>12 National Park with Peter and A.D. in March and</p> <p>13 April of 2019?</p> <p>14 A. No.</p> <p>15 Q. What is your date of birth?</p> <p>16 A. 9/8/90.</p> <p>17 Q. What are your parents' names?</p> <p>18 A. Peter and Gay.</p> <p>19 Q. How many children do your parents have?</p> <p>20 A. Three.</p> <p>21 Q. And would that be yourself, Gayle, and</p> <p>22 A.D.?</p> <p>23 A. Yes.</p> <p>24 Q. Do you know how old A.D. was when he</p>	<p style="text-align: right;">Page 13</p> <p>1 A. In North Carolina.</p> <p>2 Q. I understand that your mom passed away.</p> <p>3 Is that correct?</p> <p>4 A. Correct.</p> <p>5 Q. When did that happen?</p> <p>6 A. 2014.</p> <p>7 Q. How old were you at the time?</p> <p>8 A. Twenty-three.</p> <p>9 Q. Do you recall how old A.D. was at the</p> <p>10 time?</p> <p>11 A. Seven.</p> <p>12 Q. What is your address?</p> <p>13 A. 418 West Carver Street in Durham.</p> <p>14 Q. Who lives at that address with you?</p> <p>15 A. My partner.</p> <p>16 Q. How long have you lived at that</p> <p>17 address?</p> <p>18 A. On and off for six months.</p> <p>19 Q. Where else do you live when you say</p> <p>20 "on and off"?</p> <p>21 A. Colorado.</p> <p>22 Q. Where in Colorado do you live?</p> <p>23 A. Almont.</p> <p>24 Q. I'm sorry?</p>

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<p style="text-align: right;">Page 14</p> <p>1 A. Almont, A-L-M-O-N-T.</p> <p>2 Q. And is that for work, that you live in</p> <p>3 Colorado?</p> <p>4 A. Yes.</p> <p>5 Q. What is your split of time between</p> <p>6 North Carolina and Colorado?</p> <p>7 A. About fifty-fifty.</p> <p>8 Q. Is that one week here, and one week in</p> <p>9 Colorado, or how does it go in terms of time?</p> <p>10 A. About spring to fall, in Colorado, with</p> <p>11 occasional trips in between.</p> <p>12 Q. And since when have you had this</p> <p>13 arrangement where you've lived partially in</p> <p>14 North Carolina and partially in Colorado?</p> <p>15 A. 2016.</p> <p>16 Q. Where does Peter live?</p> <p>17 A. Hillsborough, North Carolina.</p> <p>18 Q. And who lives with Peter in</p> <p>19 Hillsborough, North Carolina?</p> <p>20 A. A.D.</p> <p>21 Q. Where did you attend high school?</p> <p>22 A. Half in Midwood, in Brooklyn, New York,</p> <p>23 and half in Hillsborough.</p> <p>24 Q. What year did you graduate high school?</p>	<p style="text-align: right;">Page 16</p> <p>1 Q. Are you currently employed?</p> <p>2 A. Yes.</p> <p>3 Q. Where are you employed?</p> <p>4 A. University of Montana.</p> <p>5 Q. What do you do at the University of</p> <p>6 Montana?</p> <p>7 A. A research scientist.</p> <p>8 Q. Is that a full-time position?</p> <p>9 A. Yes.</p> <p>10 Q. What were your duties and</p> <p>11 responsibilities as a research scientist?</p> <p>12 A. Collect data in the field, analyze</p> <p>13 data, write papers.</p> <p>14 Q. And what kind of -- what field is this</p> <p>15 in?</p> <p>16 A. Ecology sciences, research.</p> <p>17 Q. When did you start that position at the</p> <p>18 University of Montana?</p> <p>19 A. August.</p> <p>20 Q. Of this year? 2019?</p> <p>21 A. Yes. Actually, I think, technically,</p> <p>22 October.</p> <p>23 Q. So even though you're employed by the</p> <p>24 University of Montana, you work partly in</p>
<p style="text-align: right;">Page 15</p> <p>1 A. 2008.</p> <p>2 Q. Did you go straight to college after</p> <p>3 that?</p> <p>4 A. Yes.</p> <p>5 Q. And that would be to UNC Chapel Hill?</p> <p>6 A. Yes.</p> <p>7 Q. What year did you graduate college?</p> <p>8 A. 2012.</p> <p>9 Q. What was your degree and major?</p> <p>10 A. Environmental science, BS.</p> <p>11 Q. After you obtained your BS degree in</p> <p>12 2012, did you have any further education?</p> <p>13 A. Yes.</p> <p>14 Q. What's your further education?</p> <p>15 A. I got a PhD at the University of</p> <p>16 Montana.</p> <p>17 Q. When did you get your PhD?</p> <p>18 A. My finishing date?</p> <p>19 Q. Yes.</p> <p>20 A. 2016.</p> <p>21 Q. And what is your PhD in?</p> <p>22 A. Systems ecology.</p> <p>23 Q. Any further education past your PhD?</p> <p>24 A. No.</p>	<p style="text-align: right;">Page 17</p> <p>1 North Carolina, and partly in Colorado?</p> <p>2 A. Yes.</p> <p>3 Q. Do you spend any time at all in</p> <p>4 Montana?</p> <p>5 A. Nope.</p> <p>6 Q. Is that the only job that you have</p> <p>7 currently?</p> <p>8 A. Yes.</p> <p>9 Q. I understand that Peter has two</p> <p>10 sisters. Is that correct?</p> <p>11 A. Yes.</p> <p>12 Q. Where do they live?</p> <p>13 A. New York and New Jersey.</p> <p>14 Q. How often do you see them?</p> <p>15 A. Annually.</p> <p>16 Q. Is that usually for a holiday?</p> <p>17 A. More or less.</p> <p>18 Q. When was the last time you saw them, if</p> <p>19 you recall?</p> <p>20 A. I can't recall. A year or two ago,</p> <p>21 maybe.</p> <p>22 Q. Does Peter have any other siblings?</p> <p>23 A. Yes.</p> <p>24 Q. Who does -- what does he have?</p>

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<p style="text-align: right;">Page 18</p> <p>1 A. Two brothers.</p> <p>2 Q. Where do they live?</p> <p>3 A. Pennsylvania, and I think Jersey.</p> <p>4 Q. How often do you see Peter's brothers?</p> <p>5 A. Pretty seldom.</p> <p>6 Q. Do you recall the last time you saw</p> <p>7 them?</p> <p>8 A. Nope.</p> <p>9 Q. You have one grandparent on Peter's</p> <p>10 side?</p> <p>11 A. Yes.</p> <p>12 Q. Where does he live?</p> <p>13 A. New Jersey.</p> <p>14 Q. When was the last time you saw your</p> <p>15 granddad on Peter's side?</p> <p>16 A. Probably two years ago.</p> <p>17 Q. Do you recall the occasion?</p> <p>18 A. Birthday.</p> <p>19 Q. His birthday, or yours?</p> <p>20 A. I think his.</p> <p>21 Q. Are you in touch with any family on</p> <p>22 your mother's side?</p> <p>23 A. Yes.</p> <p>24 Q. Who are you in touch with?</p>	<p style="text-align: right;">Page 20</p> <p>1 A. I probably see them once every two to</p> <p>2 three weeks.</p> <p>3 Q. And how does that come about?</p> <p>4 A. A.D. has hockey games or we're just</p> <p>5 visiting.</p> <p>6 Q. Do you go to the house in Hillsborough?</p> <p>7 A. Yes.</p> <p>8 Q. When you go to the house in</p> <p>9 Hillsborough, is Peter always at home?</p> <p>10 A. Ninety percent of the time, yes.</p> <p>11 Q. When you go to the house in</p> <p>12 Hillsborough, is A.D. always at home?</p> <p>13 A. At the same times as Peter.</p> <p>14 Q. Do Peter and A.D. ever visit you at</p> <p>15 your place in Durham?</p> <p>16 A. Not yet.</p> <p>17 Q. Have Peter and A.D. visited you at your</p> <p>18 location in Colorado?</p> <p>19 A. Yes.</p> <p>20 Q. How many times have they visited you in</p> <p>21 Colorado?</p> <p>22 A. Once.</p> <p>23 Q. When was that?</p> <p>24 A. Summer of last year.</p>
<p style="text-align: right;">Page 19</p> <p>1 A. She has four sisters. So if you'd like</p> <p>2 to clarify what you mean by "in touch."</p> <p>3 Q. So you said your mom has four -- your</p> <p>4 mom had four sisters. What are their names?</p> <p>5 A. Asha, Padma, Rani, Sheela.</p> <p>6 Q. How often do you see Asha?</p> <p>7 A. Annually.</p> <p>8 Q. When was the last time you saw Asha?</p> <p>9 A. March of last year.</p> <p>10 Q. 2018?</p> <p>11 A. Yeah.</p> <p>12 Q. How often do you see Padma?</p> <p>13 A. Also annually. You can list the same</p> <p>14 date for all sisters.</p> <p>15 Q. March of 2018?</p> <p>16 A. Yup.</p> <p>17 Q. What was the occasion in March of 2018,</p> <p>18 when you saw your four aunts?</p> <p>19 A. My cousin's first son's birthday.</p> <p>20 Q. Have you seen Rani or Sheela since the</p> <p>21 March 2018 visit?</p> <p>22 A. No.</p> <p>23 Q. In an average week or month, how often</p> <p>24 do you see Peter and A.D.?</p>	<p style="text-align: right;">Page 21</p> <p>1 Q. Summer of 2018?</p> <p>2 A. Yes.</p> <p>3 Q. Apart from when you see him in person,</p> <p>4 do you speak with Peter on the telephone?</p> <p>5 A. Yes.</p> <p>6 Q. How often do you speak with Peter on</p> <p>7 the telephone?</p> <p>8 A. Every few days.</p> <p>9 Q. Would that be true for all of this</p> <p>10 year, 2019?</p> <p>11 A. As far as I can recall.</p> <p>12 Q. Do you also text Peter?</p> <p>13 A. Yes.</p> <p>14 Q. How often would you text -- do you text</p> <p>15 him?</p> <p>16 A. Probably close to the same frequency.</p> <p>17 Q. Does A.D. have a cell phone?</p> <p>18 A. Yes.</p> <p>19 Q. Do you know if A.D. had a cell phone at</p> <p>20 the time of this incident which occurred on</p> <p>21 March 28th of 2019?</p> <p>22 A. As far as I know, he did not.</p> <p>23 Q. Apart from when you see him in person,</p> <p>24 do you also speak with A.D. on the telephone?</p>

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<p style="text-align: right;">Page 22</p> <p>1 A. Yes.</p> <p>2 Q. How often do you speak with A.D. on the</p> <p>3 telephone?</p> <p>4 A. Seldom.</p> <p>5 Q. Do you ever text A.D.?</p> <p>6 A. Sometimes.</p> <p>7 Q. Do you have an idea how many times a</p> <p>8 day or a week you text A.D.?</p> <p>9 A. Maybe once or twice.</p> <p>10 Q. A day or a week?</p> <p>11 A. A week.</p> <p>12 Q. Do you and A.D. use any social media</p> <p>13 platforms to connect, such as Snapchat?</p> <p>14 A. We use Instagram. That would be about</p> <p>15 it.</p> <p>16 Q. How would you describe Peter as a</p> <p>17 father?</p> <p>18 A. As good as it gets. Incredibly</p> <p>19 supportive. He made sure every opportunity was</p> <p>20 available to me growing up. He made me feel</p> <p>21 safe and secure and loved. So I can't imagine</p> <p>22 a better father than my dad.</p> <p>23 Q. How would you describe your</p> <p>24 relationship with Peter?</p>	<p style="text-align: right;">Page 24</p> <p>1 Q. Have you met her?</p> <p>2 A. Yes.</p> <p>3 Q. How often do you see her?</p> <p>4 A. Once a month.</p> <p>5 Q. How would you describe A.D. as a</p> <p>6 brother?</p> <p>7 A. Extremely loving, trusting, very</p> <p>8 devoted to making sure that he tries to do</p> <p>9 well, and he loves hockey.</p> <p>10 Q. What is your relationship with A.D.</p> <p>11 like?</p> <p>12 A. It's very loving.</p> <p>13 Q. How would you describe your</p> <p>14 relationship with Gayle?</p> <p>15 A. Also very loving.</p> <p>16 Q. How often do you speak with Gayle on a</p> <p>17 weekly or daily basis?</p> <p>18 A. Probably once every two weeks.</p> <p>19 Q. How would you describe Peter's</p> <p>20 relationship with A.D.?</p> <p>21 A. Very close.</p> <p>22 Q. Are there things they like to do</p> <p>23 together?</p> <p>24 A. Yes, my brother loves hockey. So my</p>
<p style="text-align: right;">Page 23</p> <p>1 A. Always extremely supportive, always</p> <p>2 there when you need him, always taking an</p> <p>3 interest in my life.</p> <p>4 Q. And would you say that's been true your</p> <p>5 entire life?</p> <p>6 A. Yes.</p> <p>7 Q. Did things change in any way after your</p> <p>8 mom passed away?</p> <p>9 A. It was stressful.</p> <p>10 Q. How was it stressful?</p> <p>11 A. We lost my mom. Of course, it's</p> <p>12 stressful. I was just as close.</p> <p>13 Q. Did Peter change in any way after you</p> <p>14 lost your mom?</p> <p>15 A. Yes, of course. He loved my mom</p> <p>16 deeply, so...</p> <p>17 Q. Are there any specific changes that you</p> <p>18 recall that Peter developed after your mom</p> <p>19 passed away?</p> <p>20 A. He appeared sad, I think would be the</p> <p>21 biggest change.</p> <p>22 Q. Peter now has a girlfriend; is that</p> <p>23 correct?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 25</p> <p>1 dad spends the majority of every weekend taking</p> <p>2 my brother to hockey practice. My brother is</p> <p>3 also very devoted to running. So my dad takes</p> <p>4 him to running practices. This is also</p> <p>5 continuous throughout the week. My dad also</p> <p>6 spends quite a bit of time helping A.D. with</p> <p>7 homework. And then one thing they've always</p> <p>8 enjoyed is being able to go hiking together.</p> <p>9 Q. Do they go hiking in North Carolina</p> <p>10 together?</p> <p>11 A. Yes.</p> <p>12 Q. Have you ever seen Peter touch A.D. in</p> <p>13 a manner that you would consider inappropriate?</p> <p>14 A. No.</p> <p>15 Q. Has anybody ever told you that they</p> <p>16 have seen Peter touch A.D. in a manner they</p> <p>17 would consider inappropriate?</p> <p>18 A. No.</p> <p>19 Q. Have you ever talked with A.D. about</p> <p>20 his experience or feelings with respect to</p> <p>21 being adopted?</p> <p>22 A. No.</p> <p>23 Q. Do you know what A.D. knows about his</p> <p>24 biological family?</p>

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<p style="text-align: right;">Page 26</p> <p>1 A. I know what he's told me.</p> <p>2 Q. What has he told you?</p> <p>3 A. When he first came here, he remembered</p> <p>4 some of his siblings, and that his father was</p> <p>5 older, and that he lost his mother.</p> <p>6 Q. Do you know how he lost his mother?</p> <p>7 A. No.</p> <p>8 Q. Since then, do you know if A.D. has had</p> <p>9 any contact with any of his biological family?</p> <p>10 A. As far as I understand, that's actually</p> <p>11 forbidden.</p> <p>12 Q. When you say "forbidden," under the</p> <p>13 terms of the adoption that your parents had?</p> <p>14 A. Yes.</p> <p>15 Q. Do you know if A.D. has any feelings of</p> <p>16 abandonment with respect to his biological</p> <p>17 family?</p> <p>18 A. I get the impression he does not.</p> <p>19 Q. What is your impression based on?</p> <p>20 A. From him telling me those stories years</p> <p>21 ago.</p> <p>22 Q. Anything else?</p> <p>23 A. I would also base that assumption on</p> <p>24 him seeming extremely content here.</p>	<p style="text-align: right;">Page 28</p> <p>1 A. Yes.</p> <p>2 Q. Did A.D. ever develop nightmares that</p> <p>3 followed your mom passing away?</p> <p>4 A. I don't know. Not that I know of.</p> <p>5 Q. Were you living in the house when your</p> <p>6 mom passed away?</p> <p>7 A. No.</p> <p>8 Q. You were in college at the time?</p> <p>9 A. I was in graduate school. Although, I</p> <p>10 was back for months at a time, or weeks or</p> <p>11 months at a time during the period.</p> <p>12 Q. And your graduate school was in</p> <p>13 Montana, correct?</p> <p>14 A. Yes.</p> <p>15 Q. I understand that your dad took your</p> <p>16 mom to New York -- or to Maryland, for some</p> <p>17 treatment. Around that time, did you come back</p> <p>18 to North Carolina?</p> <p>19 A. I came to Maryland.</p> <p>20 Q. So when your mom underwent the liver</p> <p>21 transplant, you were in Maryland with her and</p> <p>22 your dad?</p> <p>23 A. I was there 24 to 48 hours after the</p> <p>24 failed liver transplant.</p>
<p style="text-align: right;">Page 27</p> <p>1 Q. Do you know if A.D. has any emotional</p> <p>2 issues, such as depression or anxiety, with</p> <p>3 respect to being adopted?</p> <p>4 A. No. Not that I know of, to be clear.</p> <p>5 Q. Do you know if A.D. ever suffered</p> <p>6 nightmares that were related to his being</p> <p>7 adopted?</p> <p>8 A. Not that I know of.</p> <p>9 Q. After your mom passed away, do you know</p> <p>10 if A.D. had any feelings of abandonment with</p> <p>11 respect to that issue?</p> <p>12 A. Can you clarify what you mean by him</p> <p>13 feeling abandoned in respect to a death?</p> <p>14 Q. Well, I guess a better question might</p> <p>15 be: After your mom passed away, did A.D.</p> <p>16 experience any psychological issues that he</p> <p>17 discussed with you, such as feelings of</p> <p>18 abandonment, depression, anxiety?</p> <p>19 A. He was pretty upset. He was sad.</p> <p>20 Q. Did he tell you that he was upset and</p> <p>21 sad?</p> <p>22 A. I think yes.</p> <p>23 Q. Did you also see that he was upset and</p> <p>24 sad?</p>	<p style="text-align: right;">Page 29</p> <p>1 Q. When you said that you came back to</p> <p>2 North Carolina for weeks or months, was that</p> <p>3 following your mom's death, or while she was</p> <p>4 still alive?</p> <p>5 A. While she was still alive. Between</p> <p>6 December 4th of 2013, and July 2, 2014.</p> <p>7 Q. After your mom passed away in July of</p> <p>8 2014, were you ever in North Carolina for more</p> <p>9 than a weekend or so?</p> <p>10 A. Yes.</p> <p>11 Q. Do you recall when you were in</p> <p>12 North Carolina?</p> <p>13 A. I can't remember dates. Roughly, I'd</p> <p>14 say I was there for a few weeks following the</p> <p>15 death, and then, I think, again in September of</p> <p>16 2014.</p> <p>17 Q. Do you know if A.D. was ever in</p> <p>18 counseling or other treatment with respect to</p> <p>19 your mom passing away?</p> <p>20 A. I believe he saw a counselor.</p> <p>21 Q. Did you ever attend any counseling</p> <p>22 sessions with him?</p> <p>23 A. No.</p> <p>24 Q. Do you know if Peter was ever in any</p>

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<p style="text-align: right;">Page 30</p> <p>1 counseling or therapy related to your mom's</p> <p>2 passing away?</p> <p>3 A. I am unsure.</p> <p>4 Q. I understand that Peter and A.D. have</p> <p>5 been subjected to some very unkind and racist</p> <p>6 acts, specifically, pertaining to their</p> <p>7 relationship.</p> <p>8 Have you ever witnessed any of these</p> <p>9 acts?</p> <p>10 A. I have witnessed it myself being with</p> <p>11 (redacted). I have not witnessed it directed</p> <p>12 towards the two of them, personally.</p> <p>13 MS. SHELKE: And for the record, at the</p> <p>14 end of the deposition, we'll clean up all</p> <p>15 references to the minor to state A.D.</p> <p>16 THE WITNESS: Sorry.</p> <p>17 MR. MCKAY: It's okay. It's bound to</p> <p>18 happen.</p> <p>19 BY MS. SHELKE:</p> <p>20 Q. You said that you have witnessed an</p> <p>21 instance of racism or unkindness towards A.D.;</p> <p>22 is that correct?</p> <p>23 A. Yes.</p> <p>24 Q. Can you tell me about that?</p>	<p style="text-align: right;">Page 32</p> <p>1 Q. Did you complain to management about</p> <p>2 that incident?</p> <p>3 A. No.</p> <p>4 Q. Did A.D. ever discuss that incident</p> <p>5 with you?</p> <p>6 A. Yes.</p> <p>7 Q. What did he say?</p> <p>8 A. That it happens a lot.</p> <p>9 Q. Meaning -- and you took that to mean</p> <p>10 that it had happened before?</p> <p>11 A. Yes.</p> <p>12 Q. Did A.D. say how that made him feel?</p> <p>13 A. He said that people are racist.</p> <p>14 Q. And it is your impression that this</p> <p>15 person asked for papers and proof of</p> <p>16 guardianship strictly because A.D. is of a</p> <p>17 different skin color than you?</p> <p>18 A. Yes.</p> <p>19 Q. Has A.D. ever told you about other such</p> <p>20 instances that have occurred to him and to</p> <p>21 Peter?</p> <p>22 A. Yes.</p> <p>23 Q. What has A.D. told you?</p> <p>24 A. Well, particularly, about the incident</p>
<p style="text-align: right;">Page 31</p> <p>1 A. I took A.D. out in Durham and asked if</p> <p>2 it was all right to have him in an arcade where</p> <p>3 there were several other children present. And</p> <p>4 even though I saw several other children</p> <p>5 present, I asked if he was all right, and I</p> <p>6 was -- his papers were requested multiple times</p> <p>7 and proof that I was allowed to be his guardian</p> <p>8 in that instance, which there was no reason for</p> <p>9 when there were younger children around.</p> <p>10 Q. The person who asked you for A.D.'s</p> <p>11 papers and to prove that you were his guardian,</p> <p>12 that a person of color?</p> <p>13 A. Yes.</p> <p>14 Q. Apart from that one instance, have you</p> <p>15 experienced any similar instances towards A.D.?</p> <p>16 A. Not that I can recall.</p> <p>17 Q. And you said you have never witnessed</p> <p>18 an incident such as this one with respect to</p> <p>19 Peter and A.D., correct?</p> <p>20 A. Correct.</p> <p>21 Q. When that incident happened at the</p> <p>22 arcade, did you and A.D. stay, or did you</p> <p>23 leave?</p> <p>24 A. We stayed.</p>	<p style="text-align: right;">Page 33</p> <p>1 with Frontier. And there have been a few other</p> <p>2 instances where people have said things to him</p> <p>3 or my father, and so he's brought those up.</p> <p>4 Q. And when he brings those up, is he just</p> <p>5 telling you what happens, or is he telling you</p> <p>6 how he feels as a result of those incidents?</p> <p>7 A. In regards to every incident but the</p> <p>8 Frontier incident, he's very matter of fact,</p> <p>9 and that he's learning to ignore racist</p> <p>10 commentary. In regards to the Frontier</p> <p>11 incident, he's expressed trauma to me and not</p> <p>12 being able to sleep and feeling a lot of</p> <p>13 anxiety.</p> <p>14 Q. And we'll talk about the Frontier</p> <p>15 incident in just a few moments, but do you have</p> <p>16 an understanding as to why, with respect to the</p> <p>17 Frontier incident, he has expressed more,</p> <p>18 meaning expressed an inability to sleep,</p> <p>19 anxiety, et cetera?</p> <p>20 A. Because he was taken away from my</p> <p>21 father.</p> <p>22 Q. And that was the first time that had</p> <p>23 happened?</p> <p>24 A. Yes.</p>

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<p style="text-align: right;">Page 34</p> <p>1 Q. Do you know if A.D. felt scared because</p> <p>2 he was taken away from his father?</p> <p>3 A. Yes, he was extremely scared. He's</p> <p>4 already been -- gone through the adoption</p> <p>5 process. He was separated from one family, and</p> <p>6 then he's very happy in his home, and his</p> <p>7 father was forcibly taken away from him.</p> <p>8 Q. Before the Frontier incident, Peter and</p> <p>9 A.D. experienced an issue on an airplane. Are</p> <p>10 you familiar with that incident?</p> <p>11 A. Not enough to talk about.</p> <p>12 Q. What do you know about that incident,</p> <p>13 generally?</p> <p>14 A. Just that it happened, and they</p> <p>15 attributed it to racism.</p> <p>16 Q. Do you know what airline was involved?</p> <p>17 A. Nope.</p> <p>18 Q. Do you know when that occurred?</p> <p>19 A. Nope.</p> <p>20 Q. Have you personally experienced such</p> <p>21 similar events when you were out with Peter?</p> <p>22 A. No.</p> <p>23 Q. Do you know what A.D. is like in</p> <p>24 school?</p>	<p style="text-align: right;">Page 36</p> <p>1 A.D. were going to Death Valley National Park?</p> <p>2 A. I can't recall. I would say probably</p> <p>3 months earlier.</p> <p>4 Q. And what did you know about their trip,</p> <p>5 generally, before they went?</p> <p>6 A. I know that my brother was extremely</p> <p>7 excited to go hiking. I know they had a lot of</p> <p>8 different -- a lot of hiking planned. That's</p> <p>9 the extent.</p> <p>10 Q. Do you have a specific recollection of</p> <p>11 speaking with Peter on March 28, 2019, before</p> <p>12 he boarded his flight?</p> <p>13 A. Not that I can recall. Before he</p> <p>14 boarded, to be clear.</p> <p>15 Q. Correct.</p> <p>16 A. Yes.</p> <p>17 Q. Do you have a specific recollection of</p> <p>18 speaking with Peter on March 28, 2019, after he</p> <p>19 boarded the aircraft, but before the plane took</p> <p>20 off?</p> <p>21 A. I don't think I would know that. I</p> <p>22 have texts from the incident timing.</p> <p>23 Q. Okay. And when you say the</p> <p>24 "incident timing," you mean what occurred on</p>
<p style="text-align: right;">Page 35</p> <p>1 A. I know what he's told me and what my</p> <p>2 father has told me.</p> <p>3 Q. What has A.D. told you about school?</p> <p>4 A. He's told me about his friends, about</p> <p>5 having lots of different friends. He's told me</p> <p>6 that he likes math, and he's told me that he</p> <p>7 wishes recess was longer.</p> <p>8 Q. And what has Peter told you with</p> <p>9 respect to A.D.'s schooling?</p> <p>10 A. He's told me that they spend a lot of</p> <p>11 time on homework.</p> <p>12 Q. Is A.D. generally a good student?</p> <p>13 A. He's very devoted.</p> <p>14 Q. A.D. is also on a lot of sports teams;</p> <p>15 is that correct?</p> <p>16 A. Yes.</p> <p>17 Q. Do you know what he's like on those</p> <p>18 sports teams, meaning is he a team player?</p> <p>19 Captain? Leader?</p> <p>20 A. On hockey, which is a team sport, I've</p> <p>21 seen him be very nurturing to younger</p> <p>22 teammates. And I have not seen him play track,</p> <p>23 but I know he's very accomplished at both.</p> <p>24 Q. When did you first learn that Peter and</p>	<p style="text-align: right;">Page 37</p> <p>1 Flight 2067, correct?</p> <p>2 A. Yes.</p> <p>3 Q. Tell me what you understand happened on</p> <p>4 that flight.</p> <p>5 A. I have a text from Peter saying that he</p> <p>6 was scared and that he might need help. And</p> <p>7 then as the text conversation continued, that</p> <p>8 A.D. was being taken away from him, and he</p> <p>9 might need a lawyer, and that he didn't</p> <p>10 understand where the accusations were coming</p> <p>11 from. And I would have to refer to the text</p> <p>12 record to clarify the rest of that.</p> <p>13 Q. To the best of your recollection,</p> <p>14 did -- were those texts coming from -- sorry,</p> <p>15 strike that.</p> <p>16 To the best of your knowledge, was</p> <p>17 Peter texting you from the aircraft itself or</p> <p>18 after the aircraft had landed in Las Vegas?</p> <p>19 A. I know that the first text came in a</p> <p>20 little bit after midnight, Eastern. So you</p> <p>21 could look at the flight record.</p> <p>22 Q. With respect to what actually happened</p> <p>23 that prompted these text messages, what did you</p> <p>24 understand happened on the aircraft?</p>

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<p style="text-align: right;">Page 38</p> <p>1 A. I understand that my dad had fallen 2 asleep, and that he was woken up with a blow to 3 the head that left him with a concussion that 4 he's had to have follow-up medical care for. 5 That my brother was taken to a different seat 6 and forced to stay in that seat, apparently, 7 blocked in by somebody that sat next to him. 8 I understand that my father was taken 9 off the aircraft for questioning. And one of 10 the most notable things I remember from him 11 telling me about this was that the steward that 12 had started the accusation smiled and laughed 13 at him as he was being taken off, saying 14 something like, "They're going to get your 15 ass." And then from the text record, I can see 16 that my -- my father was not able to contact me 17 for three and a half hours after saying that he 18 might need help. 19 And that the texts that came after said 20 that he didn't understand what happened. He 21 had been asleep the whole time and didn't 22 understand where the accusation came from. 23 Because A.D. had a coat draped over his lap the 24 whole time, and this accusation was based on my</p>	<p style="text-align: right;">Page 40</p> <p>1 MR. McKAY: Uh-huh. 2 BY MS. SHELKE: 3 Q. Did you refer to that text message 4 today in preparation for your deposition? 5 MR. McKAY: Could we go off the record? 6 MS. SHELKE: Sure. If she could just 7 answer this question. 8 MR. McKAY: Oh, I'm sorry, yeah, answer 9 that question. 10 A. I looked for it, because I remembered 11 that I had it, when trying to recall things. 12 So, yes, I looked for it to pull it up. 13 MR. McKAY: I'm sorry. It's my 14 daughter calling. I just want to make 15 sure... 16 THE VIDEOGRAPHER: We are now off the 17 record. The time is 11:51 a.m. 18 (Recess from 11:51 to 11:53 a.m.) 19 THE VIDEOGRAPHER: We are back on the 20 record. The time is 11:53 a.m. 21 BY MS. SHELKE: 22 Q. Before we took a break, we were talking 23 about a text message that Peter sent to you, 24 and you think it arrived shortly after midnight</p>
<p style="text-align: right;">Page 39</p> <p>1 father having touched my brother, which 2 couldn't have happened at all. I can't see it 3 happening, and it couldn't have happened, 4 physically, if he was asleep. 5 And that my father was hurt further, 6 after being taken off the aircraft. My brother 7 was put into a room with no explanation of what 8 was happening. He was completely terrified. 9 And I could see from -- from my father's texts 10 that he was disoriented. The fear that came 11 through in those texts is something I've never 12 seen before. 13 So I would say that's where -- where my 14 recollection is. I have never seen that much 15 fear from either my father or A.D. 16 Q. You've talked a lot about a text 17 message. Is that something that you still 18 have? 19 A. Yes. 20 Q. Is that something that you referred to 21 in preparation for your deposition today? 22 MR. McKAY: Tara, I just received it 23 this morning, so I'll get it to you. 24 MS. SHELKE: Okay. Thank you.</p>	<p style="text-align: right;">Page 41</p> <p>1 or about midnight Eastern time. Is that 2 correct? 3 A. Yes. 4 Q. And you still have the same device on 5 which that text phone is -- that text message 6 is? 7 A. Yes. 8 Q. When you first received the text 9 message from Peter, did you call him? 10 A. As far as I remember, yes. 11 Q. Was he able to pick up the phone? 12 A. No. 13 Q. But he was able to respond to your text 14 messages; is that correct? 15 A. Not until three something. 16 Q. So to be -- just to clarify, then, you 17 got one text message from Peter about midnight 18 saying he was scared and might need help, and 19 then nothing further until about 3 a.m.; is 20 that correct? 21 A. Past three. I think it was around 22 3:45. 23 Q. Okay. 24 A. But that's as far as I remember.</p>

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<p style="text-align: right;">Page 42</p> <p>1 Q. Okay. And then once, at 3 or 3:45, you</p> <p>2 got a response from Peter, after that were you</p> <p>3 able to have a steady text conversation back</p> <p>4 and forth?</p> <p>5 A. I don't remember. The timing on the</p> <p>6 text would support that.</p> <p>7 Q. Okay. Do you recall when you actually</p> <p>8 were able to have a verbal conversation with</p> <p>9 Peter?</p> <p>10 MR. MCKAY: Do you mean oral?</p> <p>11 MS. SHELKE: Sorry. Yes.</p> <p>12 MR. MCKAY: Do you mean oral?</p> <p>13 MS. SHELKE: Yes. Yes.</p> <p>14 MR. MCKAY: Okay.</p> <p>15 A. No, but I'm glad to look into my phone</p> <p>16 records and find that.</p> <p>17 Q. At some point, Peter and A.D. were able</p> <p>18 to continue on with their hiking trip; is that</p> <p>19 correct?</p> <p>20 A. As far as I know, yes.</p> <p>21 Q. Do you know when that was that they</p> <p>22 were able to continue on?</p> <p>23 A. No.</p> <p>24 Q. Do you know if they had to change their</p>	<p style="text-align: right;">Page 44</p> <p>1 what I remember from the phone call, he had</p> <p>2 been knocked on the floor at some point and had</p> <p>3 smacked his head again. He thought he had</p> <p>4 fallen on his hand and broken a finger, because</p> <p>5 that was also in pain.</p> <p>6 He was extremely scared. He stated</p> <p>7 that they had only gone hiking because he</p> <p>8 couldn't get his mind clear and couldn't think</p> <p>9 straight, that nothing so terrifying had</p> <p>10 happened to him before. I did not want him to</p> <p>11 get on a flight with Frontier again, and so we</p> <p>12 spent hours looking for a way to keep them safe</p> <p>13 in Vegas, and who to report the incident to,</p> <p>14 looking for a lawyer, and trying to find</p> <p>15 another flight out.</p> <p>16 So that's why I can't recall if he took</p> <p>17 the Frontier flight or not. I remember quite a</p> <p>18 while on the phone discussing how scared</p> <p>19 (redacted) had been -- or A.D. had been. And I</p> <p>20 remember Peter's voice being extremely shaky</p> <p>21 and scared in a way that I've never heard</p> <p>22 before.</p> <p>23 Q. You said that Peter was knocked on the</p> <p>24 floor again. To the best of your knowledge,</p>
<p style="text-align: right;">Page 43</p> <p>1 itinerary in any way because of this incident?</p> <p>2 A. I don't know what they changed on the</p> <p>3 front end. I know, coming back, I spoke to</p> <p>4 Peter on the phone, and he was concerned about</p> <p>5 issues getting on a flight again, and he might</p> <p>6 have cut the hiking short to try and figure out</p> <p>7 how to get onto a flight safely.</p> <p>8 Q. Do you know if Peter and A.D. took</p> <p>9 their scheduled flight back home, meaning did</p> <p>10 they fly Frontier back home?</p> <p>11 A. I can't remember for sure. I think</p> <p>12 they did.</p> <p>13 Q. While Peter and A.D. were traveling,</p> <p>14 did you ever speak to A.D. about this incident?</p> <p>15 A. No.</p> <p>16 Q. While Peter and A.D. were traveling, at</p> <p>17 some point you were able to speak to Peter;</p> <p>18 correct?</p> <p>19 A. Correct.</p> <p>20 Q. What did Peter tell you with respect to</p> <p>21 how he was feeling physically?</p> <p>22 A. He was shaky, he was sick, he was</p> <p>23 disoriented. He expressed injury from the</p> <p>24 incident. His head had been pounding. From</p>	<p style="text-align: right;">Page 45</p> <p>1 did this occur on the aircraft or after he</p> <p>2 exited the aircraft?</p> <p>3 A. He expressed being hit very hard on the</p> <p>4 aircraft, and then he expressed it happening</p> <p>5 again during the questioning.</p> <p>6 Q. So the questioning did not occur on the</p> <p>7 aircraft; is that correct?</p> <p>8 A. As far as I know.</p> <p>9 Q. So Peter was knocked on the floor, but</p> <p>10 not on the aircraft, correct?</p> <p>11 A. The worst hit he got was on the back of</p> <p>12 the head on the aircraft.</p> <p>13 Q. But being knocked on the floor did not</p> <p>14 occur on the aircraft?</p> <p>15 A. No. And, actually, to clarify, I think</p> <p>16 when he fell on the floor, he hit his finger.</p> <p>17 His head was the aircraft; his finger was</p> <p>18 after.</p> <p>19 Q. Do you know if Peter broke his finger</p> <p>20 as a result of being knocked on the floor after</p> <p>21 he exited the aircraft?</p> <p>22 A. I don't know.</p> <p>23 Q. When did you first see Peter after they</p> <p>24 returned home from this trip?</p>

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<p style="text-align: right;">Page 46</p> <p>1 A. I don't remember.</p> <p>2 Q. Do you recall if you were in</p> <p>3 North Carolina, around March/April 2019, when</p> <p>4 Peter and A.D. took this trip?</p> <p>5 A. Yes.</p> <p>6 Q. But you have no specific memory of the</p> <p>7 first time that you would have seen them after</p> <p>8 this trip?</p> <p>9 A. No, my specific memory is the phone</p> <p>10 call.</p> <p>11 Q. Did you learn additional details about</p> <p>12 this incident after that one phone call that we</p> <p>13 discussed?</p> <p>14 A. Yes.</p> <p>15 Q. When did you learn those additional</p> <p>16 details?</p> <p>17 A. I don't know. It's been on and off</p> <p>18 since it happened.</p> <p>19 Q. Have you spoken with A.D. about this</p> <p>20 incident?</p> <p>21 A. I can't recall.</p> <p>22 Q. Have you spoken with A.D. about how he</p> <p>23 feels about any aspect of this incident?</p> <p>24 A. A.D. has expressed inability to sleep</p>	<p style="text-align: right;">Page 48</p> <p>1 asleep and remain asleep, presently?</p> <p>2 A. As far as I understand, he is seeing a</p> <p>3 therapist, specifically, to try and work</p> <p>4 through the trauma that he's suffered as a</p> <p>5 result of this incident.</p> <p>6 Q. Who told you that A.D. had a coat</p> <p>7 draped over his lap on the aircraft?</p> <p>8 A. That's in a text message from Peter.</p> <p>9 Q. Did A.D. ever tell you about being</p> <p>10 reseated on the aircraft separate from Peter?</p> <p>11 A. I think so.</p> <p>12 Q. Do you recall what he said?</p> <p>13 A. That he was seated away from Peter.</p> <p>14 Q. Did A.D. tell you that he was forced to</p> <p>15 stay in that seat separate from Peter?</p> <p>16 A. Yes.</p> <p>17 Q. Did A.D. tell you that he asked to</p> <p>18 return to his seat next to Peter?</p> <p>19 A. Yes, he said that he insisted or</p> <p>20 repeated multiple times that Peter is his</p> <p>21 father, and that he wanted to be near him.</p> <p>22 Q. Did A.D. tell you that a flight</p> <p>23 attendant touched him?</p> <p>24 A. He said that the flight attendant</p>
<p style="text-align: right;">Page 47</p> <p>1 for fear that he will be taken away from Peter.</p> <p>2 Q. And this is something that A.D. told</p> <p>3 you?</p> <p>4 A. Yes.</p> <p>5 Q. Do you recall when A.D. said this to</p> <p>6 you?</p> <p>7 A. No.</p> <p>8 Q. When was the last time that you spent</p> <p>9 the night at the house in Hillsborough?</p> <p>10 A. September.</p> <p>11 Q. When you spent the night at the house</p> <p>12 in September, would that be September of 2019?</p> <p>13 A. Yes.</p> <p>14 Q. Do you know if A.D. woke up with</p> <p>15 nightmares?</p> <p>16 A. He was not home.</p> <p>17 Q. Apart from an inability to sleep,</p> <p>18 related to fear, what else has A.D. told you</p> <p>19 about his feelings regarding this incident?</p> <p>20 A. He's scared to fly.</p> <p>21 Q. Anything else?</p> <p>22 A. No.</p> <p>23 Q. Do you know if A.D. continues to feel</p> <p>24 that way, scared to fly, and unable to fall</p>	<p style="text-align: right;">Page 49</p> <p>1 hovered his hand above A.D.'s crotch area.</p> <p>2 Q. Did A.D. say how that made him feel?</p> <p>3 A. Really uncomfortable and scared.</p> <p>4 Q. Did A.D. tell you whether it was a male</p> <p>5 or female flight attendant who hovered his hand</p> <p>6 over his crotch?</p> <p>7 A. I think male.</p> <p>8 Q. Did A.D. say when during the flight the</p> <p>9 flight attendant placed his hand near his</p> <p>10 crotch?</p> <p>11 A. No.</p> <p>12 Q. In the month of April 2019, after Peter</p> <p>13 and A.D. returned home from their trip to</p> <p>14 Death Valley, do you have any specific memory</p> <p>15 of seeing them more often than usual?</p> <p>16 A. I was in Colorado from April 29th to</p> <p>17 September 15th. Since returning, obviously, I</p> <p>18 see them more than usual.</p> <p>19 Q. After Peter and A.D. returned from</p> <p>20 their trip to Death Valley, did you talk to</p> <p>21 Peter more often?</p> <p>22 A. As stated, I routinely talk to Peter,</p> <p>23 multiple times per week.</p> <p>24 Q. Do you know who else knows about this</p>

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<p style="text-align: right;">Page 50</p> <p>1 incident? Do Peter's sisters know about this</p> <p>2 incident?</p> <p>3 A. I have no knowledge of who knows.</p> <p>4 Q. Have you told anybody about this</p> <p>5 incident?</p> <p>6 A. I was present with my partner and his</p> <p>7 mother when I got the call, and so they heard</p> <p>8 me talking, and I have explained what I</p> <p>9 understood to my partner.</p> <p>10 Q. Do you know if any of Peter's friends</p> <p>11 know about this incident?</p> <p>12 A. I have no knowledge.</p> <p>13 Q. Have you read any media articles about</p> <p>14 this incident?</p> <p>15 A. Yes.</p> <p>16 Q. Do you know where you saw those media</p> <p>17 articles?</p> <p>18 A. No.</p> <p>19 Q. Do you know whether anybody sent those</p> <p>20 articles to you?</p> <p>21 A. No, I googled it.</p> <p>22 Q. What did you google?</p> <p>23 A. I think "Peter DelVecchia."</p> <p>24 Q. And what did you see when you googled</p>	<p style="text-align: right;">Page 52</p> <p>1 Q. Would you say that this incident is now</p> <p>2 public knowledge?</p> <p>3 A. If it's in the news. I don't know.</p> <p>4 Q. You and A.D. went to a Bulls game on</p> <p>5 April 21st of 2019. So about three weeks after</p> <p>6 this incident. Do you remember that?</p> <p>7 A. Yes, that was when the arcade incident</p> <p>8 happened.</p> <p>9 Q. The same day?</p> <p>10 A. Yes.</p> <p>11 Q. Where was the arcade?</p> <p>12 A. Boxcar Arcade.</p> <p>13 Q. And you said that was in Durham,</p> <p>14 correct?</p> <p>15 A. Yeah.</p> <p>16 Q. What was A.D. like on that day?</p> <p>17 A. Mellow.</p> <p>18 Q. Was he sad as a result of the arcade</p> <p>19 incident?</p> <p>20 A. No.</p> <p>21 Q. Did Peter accompany you to either the</p> <p>22 arcade or the Bulls game?</p> <p>23 A. No.</p> <p>24 Q. Was Gayle present at either the arcade</p>
<p style="text-align: right;">Page 51</p> <p>1 Peter DelVecchia?</p> <p>2 A. I saw one article repeated in multiple</p> <p>3 sources expressing this -- this situation.</p> <p>4 Q. Do you know if this incident has had</p> <p>5 any effect on Peter's reputation?</p> <p>6 A. Yes.</p> <p>7 Q. How so?</p> <p>8 A. He is currently trying to start an</p> <p>9 independent accounting practice, and has to</p> <p>10 send out his resume, and as far as I</p> <p>11 understand, this has made him feel humiliated,</p> <p>12 because it was publicized, and just the fact</p> <p>13 that he has any media coverage of his name is</p> <p>14 distracting from being able to send out his</p> <p>15 resume.</p> <p>16 Q. Any other ways in which this incident</p> <p>17 has affected Peter's reputation?</p> <p>18 A. Not that I know of.</p> <p>19 Q. Do you know if this incident has had</p> <p>20 any effect on A.D.'s reputation?</p> <p>21 A. I don't know.</p> <p>22 Q. Do you know if A.D. has discussed this</p> <p>23 issue with his friends?</p> <p>24 A. I don't know.</p>	<p style="text-align: right;">Page 53</p> <p>1 or the Bulls game?</p> <p>2 A. No.</p> <p>3 Q. Peter took Gayle and A.D. to</p> <p>4 Busch Gardens in late July of 2019.</p> <p>5 Did you go with them to Busch Gardens?</p> <p>6 A. No.</p> <p>7 Q. In your opinion, how has this event</p> <p>8 affected A.D.?</p> <p>9 A. A.D. is traumatized. He's needed a</p> <p>10 higher frequency of therapist care, as far as I</p> <p>11 understand. He's a child that's already been</p> <p>12 through a lot, and this incident has caused him</p> <p>13 now to lack sleep and to have a constant fear</p> <p>14 of losing Peter.</p> <p>15 And so I'd say that the two major</p> <p>16 effects is that my brother -- or A.D. -- has</p> <p>17 been completely traumatized and has this</p> <p>18 constant fear of being taken away from Peter,</p> <p>19 and now has to second-guess doing the things</p> <p>20 that he loves to do with Peter, which is</p> <p>21 hiking, and exploring the outdoors, and</p> <p>22 learning, that the joy of that has been taken</p> <p>23 away from him, because he has to be afraid of</p> <p>24 getting on a flight.</p>

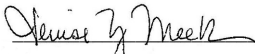
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<p style="text-align: right;">Page 54</p> <p>1 Q. You said that A.D. now has a higher</p> <p>2 frequency of therapy. Was he in therapy before</p> <p>3 this incident?</p> <p>4 A. As far as I understand, yes.</p> <p>5 Q. Do you know what A.D. was in therapy</p> <p>6 for before this incident?</p> <p>7 A. Attention deficit.</p> <p>8 Q. ADHD?</p> <p>9 A. Yeah.</p> <p>10 Q. Do you know when A.D. was first</p> <p>11 diagnosed with ADHD?</p> <p>12 A. No.</p> <p>13 Q. Do you know what -- sorry. Strike</p> <p>14 that.</p> <p>15 In the months since this accident,</p> <p>16 which occurred in March of 2019, has A.D.</p> <p>17 recovered or gotten better in any way?</p> <p>18 A. As far as I understand, it's gotten</p> <p>19 worse.</p> <p>20 Q. How do you -- when you say it's gotten</p> <p>21 worse, what do you mean?</p> <p>22 A. I think that he, as far as I</p> <p>23 understand, was formally diagnosed as trauma</p> <p>24 post incident, and I think months of recurrent</p>	<p style="text-align: right;">Page 56</p> <p>1 also fearing that A.D. is going to be taken</p> <p>2 from him. I would say that this has had a</p> <p>3 major impact on Peter's day-to-day life in that</p> <p>4 he can't live normally because of his constant</p> <p>5 fear of doing normal things, like getting on a</p> <p>6 flight or taking his son out for educational or</p> <p>7 fun activities.</p> <p>8 And with a higher -- much higher mental</p> <p>9 health requirements for A.D. Peter's schedule</p> <p>10 is constantly taking A.D. to hockey practice,</p> <p>11 track practice, homework, and now to intense</p> <p>12 therapy visits, and making sure that A.D. can</p> <p>13 cope with that adequately, and get him there</p> <p>14 and provide those services. It's a massive --</p> <p>15 a massive cost on their quality of life.</p> <p>16 Q. Do you know how often per week A.D.</p> <p>17 goes to therapy now?</p> <p>18 A. I don't know how often per week.</p> <p>19 Q. Has Peter told you that he is afraid to</p> <p>20 take a flight now?</p> <p>21 A. Yes, they are actually cutting down on</p> <p>22 the number of flights they're going to take,</p> <p>23 which cuts off the educational opportunities</p> <p>24 that he can take A.D. to, since a major part of</p>
<p style="text-align: right;">Page 55</p> <p>1 nightmares and recurrent fear take their toll</p> <p>2 on a 12-year-old.</p> <p>3 Q. Have you ever witnessed the fear and</p> <p>4 nightmares that A.D. has experienced?</p> <p>5 A. I don't live there.</p> <p>6 Q. And the fear and the nightmares that</p> <p>7 you discussed are things that happen at night,</p> <p>8 not during the daytime; is that correct?</p> <p>9 A. Yes.</p> <p>10 Q. How about with respect to Peter? What</p> <p>11 effect has this incident had on him?</p> <p>12 A. He is also extremely upset by this</p> <p>13 incident. Also afraid to take A.D. onto any</p> <p>14 flights. He's constantly afraid of facing</p> <p>15 racist incidents. He and A.D. can no longer</p> <p>16 act normally in public.</p> <p>17 A.D. is normally a very loving,</p> <p>18 affectionate brother and son. He likes to give</p> <p>19 you a hug. He likes to hold your hand. He</p> <p>20 can't do that with Peter anymore. They're</p> <p>21 constantly on guard in public. It's caused</p> <p>22 extremely high anxiety for both of them.</p> <p>23 I know that Peter has also had</p> <p>24 nightmares as a result of this, where he is</p>	<p style="text-align: right;">Page 57</p> <p>1 his life and my life and my sister's life has</p> <p>2 always been visiting national parks and hiking.</p> <p>3 Q. Does your partner follow your split</p> <p>4 schedule of living partly in North Carolina and</p> <p>5 partly in Colorado?</p> <p>6 A. No.</p> <p>7 Q. When you are in Colorado, does your</p> <p>8 partner ever visit with Peter or A.D.?</p> <p>9 A. No.</p> <p>10 Q. Apart from any communications that you</p> <p>11 were included on, does your partner ever</p> <p>12 communicate with Peter or A.D.?</p> <p>13 A. No.</p> <p>14 Q. A.D. has experienced some racism on his</p> <p>15 hockey team. Are you aware of that?</p> <p>16 A. Yes.</p> <p>17 Q. What do you know about those instances?</p> <p>18 A. I know that a goalie called him a</p> <p>19 monkey, I believe.</p> <p>20 Q. Was this a goalie on his team or</p> <p>21 another team?</p> <p>22 A. Another team.</p> <p>23 Q. Any other instances of which you're</p> <p>24 aware?</p>

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<p style="text-align: right;">Page 58</p> <p>1 A. Not explicitly.</p> <p>2 Q. Have you heard about other instances</p> <p>3 from Peter or A.D.?</p> <p>4 A. I know that I have. I can't recall</p> <p>5 them.</p> <p>6 Q. Do you know if A.D. has ever</p> <p>7 experienced instances of racism on his</p> <p>8 cross-country team?</p> <p>9 A. I don't know.</p> <p>10 Q. Do you know if A.D. has ever</p> <p>11 experienced instances of racism at school?</p> <p>12 A. I don't know.</p> <p>13 Q. Do you know what action, if any, Peter</p> <p>14 took after the incidents on the hockey team</p> <p>15 where a goalie said something to A.D.?</p> <p>16 A. I know he requested that both coaches</p> <p>17 take action on it. Other than that, I can't</p> <p>18 remember the details of how it proceeded.</p> <p>19 Q. Do you know when that occurred?</p> <p>20 A. Sometime this year.</p> <p>21 Q. Do you know what position A.D. plays</p> <p>22 for hockey?</p> <p>23 A. It varies.</p> <p>24 Q. Are there several positions that he</p>	<p style="text-align: right;">Page 60</p> <p>1 A. I don't know.</p> <p>2 MS. SHELKE: That's all the questions I</p> <p>3 have, but Mr. McKay may have some</p> <p>4 questions.</p> <p>5 MR. MCKAY: No, I don't have any</p> <p>6 questions.</p> <p>7 And we'll read and sign, please.</p> <p>8 THE VIDEOGRAPHER: We are now off the</p> <p>9 record. The time is 12:17 p.m.</p> <p>10 This is the end of media unit number</p> <p>11 one and the conclusion of the video</p> <p>12 deposition.</p> <p>13 MS. SHELKE: Etran and PDF for this one</p> <p>14 as well, please.</p> <p>15 (Deposition concluded at 12:17 p.m.)</p> <p>16 (Signature reserved.)</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>
<p style="text-align: right;">Page 59</p> <p>1 plays?</p> <p>2 A. Yes.</p> <p>3 Q. What position does he play?</p> <p>4 A. Mostly offense; sometimes defense. He</p> <p>5 likes playing center.</p> <p>6 Q. Do you know if Peter ever sought any</p> <p>7 medical treatment for his head as a result of</p> <p>8 the incident that occurred in March of 2019?</p> <p>9 A. As far as I understand, he saw a</p> <p>10 neurologist, whose impression was that there</p> <p>11 could have been some damage.</p> <p>12 Q. And Peter saw the neurologist after he</p> <p>13 returned to North Carolina, correct?</p> <p>14 A. Yes.</p> <p>15 Q. Do you know if Peter sought any medical</p> <p>16 treatment in Las Vegas?</p> <p>17 A. I don't know.</p> <p>18 Q. During the conversations that you had</p> <p>19 with Peter after this incident while he was in</p> <p>20 Las Vegas, did you ever recommend that he seek</p> <p>21 medical attention?</p> <p>22 A. I don't remember.</p> <p>23 Q. Do you know if Peter ever had to seek</p> <p>24 medical treatment with respect to his finger?</p>	<p style="text-align: right;">Page 61</p> <p>1 REPORTER'S CERTIFICATE</p> <p>2 NORTH CAROLINA)</p> <p>3 WAKE COUNTY)</p> <p>4 I, Denise Y. Meek, a Court Reporter and</p> <p>5 Notary Public in and for the State of North Carolina,</p> <p>6 do hereby certify that there came before me on</p> <p>7 Monday, November 18, 2019, the person hereinbefore</p> <p>8 named, who was by me duly sworn to testify to the</p> <p>9 truth and nothing but the truth of her knowledge</p> <p>10 concerning the matters in controversy in this cause;</p> <p>11 that the witness was thereupon examined under oath,</p> <p>12 the examination reduced to typewriting under my</p> <p>13 direction, and the deposition is a true record of the</p> <p>14 testimony given by the witness.</p> <p>15 I further certify that I am neither attorney</p> <p>16 or counsel for, nor related to or employed by, any</p> <p>17 attorney or counsel employed by the parties hereto or</p> <p>18 financially interested in the action.</p> <p>19 IN WITNESS WHEREOF, I have hereto set my</p> <p>20 hand, this 26th day of November 2019.</p> <p>21</p> <p>22 </p> <p>23 DENISE Y. MEEK</p> <p>24 Court Reporter/Notary Public</p> <p>State of North Carolina</p> <p>COMMISSION: 201519500202</p> <p>EXPIRATION: July 8, 2020</p>

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<p style="text-align: right;">Page 62</p> <p>1 ERRATA SHEET</p> <p>2 CAPTION: Peter DelVecchia vs. Frontier Airlines</p> <p>3 JOB NO.: 855244</p> <p>4 I, the undersigned, AMANDA GAY DELVECCHIA, do</p> <p>5 hereby certify that I have read the foregoing</p> <p>6 deposition, and that, to the best of my knowledge,</p> <p>7 said deposition is true and accurate with the</p> <p>8 exception of the following corrections:</p> <p>9 PAGE LINE CORRECTION AND REASON THEREFOR</p> <p>10 : : </p> <p>11 : : </p> <p>12 : : </p> <p>13 : : </p> <p>14 : : </p> <p>15 : : </p> <p>16 : : </p> <p>17 : : </p> <p>18 : : </p> <p>19 : : </p> <p>20 : : </p> <p>21 : : </p> <p>22 : : </p> <p>23 : : </p> <p>24 Date Amanda Gay DelVecchia</p>	

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